

Marine – Crustacean Cage Culture The cultivation of crab and lobster primarily in open cage culture at sea

Consent required	Regulator / Authorising remit	Regulator	Contacts
<p>Marine licence</p> <p><i>Although under certain circumstances <u>shellfish</u> (including crustaceans) cultivation is exempted from requiring a marine licence, all applicants should check with NRW before the activity commences.</i></p> <p><i>Covers developments from mean high water springs out to 200NM.</i></p> <p><i>Charges apply.</i></p> <p><i>Target Time* = 4 months if license is required.</i></p>	<p>Licensing of marine activities under the Marine and Coastal Access Act (2009).</p> <p>The applicant should contact Natural Resources Wales Marine Licensing Team for further information regarding Marine Licensing requirements for their development</p> <p>The applicant must contact Marine and Coastguard Agency and Trinity House to determine if their development could be a danger to navigation and if they require navigational markers before assuming they are exempt.</p> <p>EIA, HRA, WFD assessment and WCA assessment may be required**.</p>	<p>Natural Resources Wales</p>	<p>0300 065 3000</p> <p>marinelicensing@naturalresourceswales.gov.uk</p> <p>http://naturalresourceswales.gov.uk/permits-and-permissions/marine-licensing/?lang=en</p> <p>MCA: navigationsafety@mcga.gov.uk Or infoline@mcga.gov.uk</p> <p>Trinity House: navigation.directorate@thls.org</p>
<p>Crown Estate Seabed Lease</p> <p><i>Application No charge</i></p> <p><i>Annual rental applies</i></p> <p><i>Target time* = Without reasonable delay</i></p>	<p>The Crown Estate does not have a regulatory role. However, a seabed lease may be required and can be applied for at any time. If a marine licence has not yet been obtained, then a lease options is available rather than a full lease.</p> <p>While CE are not a regulator they are a competent authority and may need to undertake an HRA</p> <p>If the land owner is not the Crown Estate (certain inshore areas and port/harbour authority land) the appropriate organisation will need to be contacted.</p> <p>Consideration under the WCA may also be necessary.</p>	<p>Crown Estate or other land owner</p>	<p>Aquaculture Leases 020 7851 5090</p> <p>Charlene.McPake@thecrownestate.co.uk</p> <p>http://www.thecrownestate.co.uk/ural-and-coastal/coastal/downloads/</p>
<p>Several Order Application</p>	<p>A Several Order (SO) grants the successful applicant sole rights to a specific area of the seabed for one or more named shellfish species. SO's are issued under the Sea Fisheries (Shellfish) Act 1967 as amended.</p>	<p>Welsh Government</p>	<p>marineandfisheries@gov.wales</p>

<p><i>These are not mandatory, but can give security of tenure and some degree of stock protection in law to successful applicants.</i></p> <p><i>Extends out to 6 NM.</i></p> <p><i>The process of consultation and issue can be lengthy due to the fact that the Orders follow Parliamentary process.</i></p>	<p>Welsh Gov. are the responsible body for issuing SOs, they are a competent authority and may need to undertake an HRA</p> <p>Consideration under the WCA may also be necessary.</p>		<p>0300 025 2454 https://www.gov.uk/shellfisheries-several-orders-and-regulating-orders</p> <p>The FHI can also provide advice on SRO's fhi@cefas.co.uk</p>
<p>Authorisation to operate an Aquaculture Production Business</p> <p><i>(An authorisation in principle may be available before the APB is up and running)</i></p> <p><i>No charges</i></p> <p><i>Target time* = 90 days including consultation</i></p>	<p>Authorisation of aquaculture production businesses (APBs) under the Aquatic Animal Health (England & Wales) Regulations 2009, consult NRW as part of process.</p> <p>FHI are a competent authority under nature conservation directives, HRA may be required.</p> <p><i>N.B. Authorisation for APB, Import & Permitting of Alien species may all be dealt with as one by FHI in many cases.</i></p>	<p>Fish Health Inspectorate (FHI)</p>	<p>01305 206700 fhi@cefas.co.uk https://www.gov.uk/fish-and-shellfish-farm-authorisation-and-registration</p>
<p>Lobster Deposit Licence</p> <p><i>(Only required if European lobsters are to be stored with American lobsters and the facility is within 1 mile of tidal waters.)</i></p> <p><i>No charges</i></p> <p><i>Target time* = 15 to 90 days</i></p>	<p>The Lobsters (Control of Deposit) Order 1981.</p> <p>FHI are a competent authority under nature conservation directives, licensing conditions of lobster deposition preclude need for HRA.</p> <p><i>N.B. Authorisation for APB, Import & Permitting of Alien species may all be dealt with as one by FHI in many cases.</i></p>	<p>Fish Health Inspectorate (FHI)</p>	<p>01305 206700 fhi@cefas.co.uk https://www.gov.uk/government/publications/application-to-deposit-lobsters-form-fis9</p>
<p>Authorisation to import livestock</p> <p><i>Required if shellfish are to be sourced from anywhere outside England, Wales or Scotland.</i></p>	<p>Authorisation to import livestock for aquaculture from EU or third countries under Aquatic animal health Directive 2006/88.</p>	<p>Fish Health Inspectorate (FHI)</p>	<p>01305 206700 fhi@cefas.co.uk</p>

<p>No charges</p> <p>Target time* = 15 to 90 days</p>	<p><i>N.B. Authorisation for APB, Import & Permitting of Alien species may all be dealt with as one by FHI in many cases.</i></p>		<p>https://www.gov.uk/import-or-export-live-fish-and-shellfish</p>
<p>Permitting farming of alien species.</p> <p>No administration charges but potentially significant charges to industry to carry out risk assessments.</p> <p>Target time* = 15 to 90 days</p>	<p>Permitting under the Alien and Locally Absent Species in Aquaculture (England & Wales) Regulations 2011.</p> <p><i>N.B. Authorisation for APB, Import & Permitting of Alien species may all be dealt with as one by FHI in many cases.</i></p>	<p>Fish Health Inspectorate (FHI)</p>	<p>01305 206700</p> <p>fhi@cefas.co.uk</p> <p>https://www.gov.uk/introduce-or-keep-non-native-fish-and-shellfish</p>
<p>Disposal of mortalities</p>	<p>Disposal of fish mortalities under Council Regulation EC 1069/2009 on animal by-products. Fish which died from disease are defined as Category II material, which must be disposed of in accordance with Article 13 of EC 1069/2009.</p> <p>FHI control the disposal of mortalities where premises are subject to control for the presence of a notifiable disease. Otherwise it is the remit of local authorities.</p>	<p>Regulation via Local authorities</p> <p>Fish Health Inspectorate (FHI)</p>	<p>http://wlga.wales/welsh-local-authority-links</p> <p>01305 206700</p> <p>fhi@cefas.co.uk</p>

*Target times are indicative and may take longer if there are complicated considerations

** EIA = Environmental impact assessment, HRA = Habitats risk assessment, WFD = Water framework directive assessment, WCA = Wildlife and countryside act assessment

Assessments that may be required as part of planning permission or other permissions. Please contact your Local Planning Authority and/or Natural Resources Wales for confirmation of if you require such assessments.

Assessment type	Legislation	Competent authority *	Contact details
Environmental Impact Assessment (EIA)	The Marine Works (Environmental Impact Assessment) Regulations 2017 as amended requires applications for a marine license to be screened against its Annex II to check if an EIA is required (mainly sections 1 (f) and (g)).	Natural Resources Wales	0300 065 3000 marinelicensing@naturalresourceswales.gov.uk http://naturalresourceswales.gov.uk/permits-and-permissions/marine-licensing/environmental-impact-assessment/?lang=en
Habitats Risk Assessments (HRA)	Any application for works within or adjacent to a European or RAMSAR site will be subject to the provisions of The Conservation of Habitats and Species Regulations 2017. Competent authorities/regulatory bodies will carry out a Habitats Regulations Assessment (HRA) where necessary. The assessment process, if required, will involve data gathering, for which the applicant may be responsible.	Natural Resources Wales (Key competent/regulatory authority, could be numerous others as detailed in table above)	0300 065 3000 marinelicensing@naturalresourceswales.gov.uk http://naturalresourceswales.gov.uk/permits-and-permissions/marine-licensing/habitats-regulations-assessment/?lang=en
Water Framework Directive (WFD)	NRW will carry out a WFD assessment where necessary as part of marine licensing under the Water Framework Directive (2000/60/EC) and The Water Environment (Water Framework Directive) (England and Wales) Regulations 2003.	Natural Resources Wales	http://naturalresourceswales.gov.uk/guidance-and-advice/environmental-topics/water-management-and-quality/water-quality/improving-water-quality/?lang=en
Wildlife and Countryside Act (WCA) 1981 assessment for SSSI's	If your proposal will fall within a SSSI (coastal aquaculture may do) consult Natural Resources Wales about the possible implications of the WCA 1981 on your development at an early stage of the application process.	Natural Resources Wales and land owners	http://naturalresourceswales.gov.uk/permits-and-permissions/protected-species-licensing/uk-protected-species-licensing/information-on-uk-protected-species-licensing/?lang=en

Assessment against local fishery byelaws	The Welsh Government will consider the impact of the proposal on local fishery byelaws and other relevant activities that the aquaculture operation may interact with.	Welsh Government	0300 025 2454 marineandfisheries@gov.wales
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*Note that where more than one competent authority requires the same assessment for different permissions, a lead authority should be identified to co-ordinate work so that the assessment only needs to be done once, but ensuring it fulfils the requirements of each permission. This reduced burden on the applicant and streamlines the regulatory process.